Minutes – Executive Policy Committee – January 22, 2014

Minute No. 115
Report – Standing Policy Committee on Property and Development – January 14, 2014

Item No. 5 Subdivision and Rezoning – 221 Stradbrook Avenue (Fort Rouge-East Fort Garry Ward) File DASZ 41/2013

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That the plan of subdivision under File DASZ 41/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 20/2013 dated December 2, 2013 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in Schedule 'B' the report of the Administrative Coordinating Group dated November 21, 2013, with the following amendment:

        i. 4. Traffic Control Signals Upgrading:

            Add the words "countdown signal installation and" after the words "limited to".

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by adding the 221 Stradbrook Avenue Planned Development Overlay 2 (PDO-2 221 Stradbrook Avenue), attached as Appendix "B" ('Schedule T'), with the following amendment:

    A. Schedule T (PDO-2 221 Stradbrook Avenue):

        Delete Section 10. (1). in its entirety and renumber the remaining Sections accordingly.

3. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 41/2013 dated December 2, 2013 to an "RMU" Residential Mixed Use district, subject to the following conditions:

Report – Standing Policy Committee on Property and Development – January 14, 2014

A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240(1) of The City of Winnipeg Charter to include the following conditions:

i. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, fencing, landscaping, pathways, seating, bicycle parking, signage, site lighting, and building shadowing study shall be submitted to and approved by the City Centre Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.

4. That in lieu of the requirement for land dedication, a sum of money, calculated as ten percent (10%) of the increase in market value of the land and the creation of additional lots, be paid to the City for the purchase of land for purposes of the City other than streets.

5. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

6. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two years after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the two-year period and Council approves the extension.

7. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

8. That the subdivision section of the by-law shall come into force and effect upon registration of the plan of subdivision in the Winnipeg Land Titles Office.

9. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject land, provided that the said effective date occurs within one year from the date the by-law is passed.

Report – Standing Policy Committee on Property and Development – January 14, 2014

10. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

11. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

12. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council.

Report – Standing Policy Committee on Property and Development – January 14, 2014

DECISION MAKING HISTORY:

Moved by Councillor Browaty,

That the recommendation of the Standing Policy Committee on Property and Development be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On January 14, 2014, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On December 10, 2013, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendments:

- Add the following to Recommendation 1. A. after the words "November 21, 2013":

  ", with the following amendment:

  i. 4. Traffic Control Signals Upgrading:

  Add the words "countdown signal installation and" after the words "limited to"",

- Add the following to Recommendation 2 after the words "attached as Appendix "B" ('Schedule T')":

  ", with the following amendment:

  A. Schedule T (PDO-2 221 Stradbrook Avenue):

  Delete Section 10. (1). in its entirety and renumber the remaining Sections accordingly.",

and forwarded to the Standing Policy Committee on Property and Development.

RE: **Subdivision and Rezoning – 221 Stradbrook Avenue**
File DASZ 41/2013

For submission to: **The Standing Policy Committee on Property and Development**

Prepared by: **Andrew Poitras, Senior Committee Clerk**
City Centre Community Committee

Report date: **December 11, 2013**

COMMUNITY COMMITTEE RECOMMENDATION:

On December 10, 2013, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to the Standing Policy Committee on Property and Development:

1. That the plan of subdivision proposed under File DASZ 41/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 20/2013 dated December 2, 2013 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in Schedule 'B' the report of the Administrative Coordinating Group dated November 21, 2013***, with the following amendment:***

        i. 4. Traffic Control Signals Upgrading:

        Add the words "countdown signal installation and" after the words "limited to".

2. That Winnipeg Zoning By-law No. 200/2006 be amended by adding the 221 Stradbrook Avenue Planned Development Overlay 2 (PDO-2 221 Stradbrook Avenue), attached as Appendix "B" ('Schedule T')***, with the following amendment:***

    A. Schedule T (PDO-2 221 Stradbrook Avenue):

    Delete Section 10. (1). in its entirety and renumber the remaining Sections accordingly.

3. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 41/2013 dated December 2, 2013 to an "RMU" Residential Mixed Use district, subject to the following conditions:

A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240(1) of The City of Winnipeg Charter to include the following conditions:

i. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, fencing, landscaping, pathways, seating, bicycle parking, signage, site lighting, and building shadowing study shall be submitted to and approved by the City Centre Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.

4. That in lieu of the requirement for land dedication, a sum of money, calculated as ten percent (10%) of the increase in market value of the land and the creation of additional lots, be paid to the City for the purchase of land for purposes of the City other than streets.

5. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

6. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two years after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the two-year period and Council approves the extension.

7. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

8. That the subdivision section of the by-law shall come into force and effect upon registration of the plan of subdivision in the Winnipeg Land Titles Office.

9. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject land, provided that the said effective date occurs within one year from the date the by-law is passed.

10. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

11. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

12. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council.

Note: The wording in bold and italics denotes amendments made by the Community Committee.

The City Centre Community Committee provided the following supporting reasons for its recommendation:

1. This is a significant infill development right along rapid transit.
2. It's the type of development the City would like to see when developing rapid transit.
3. It will be a great opportunity for more people to live near the downtown and close to transit.

PUBLIC HEARING SUMMARY

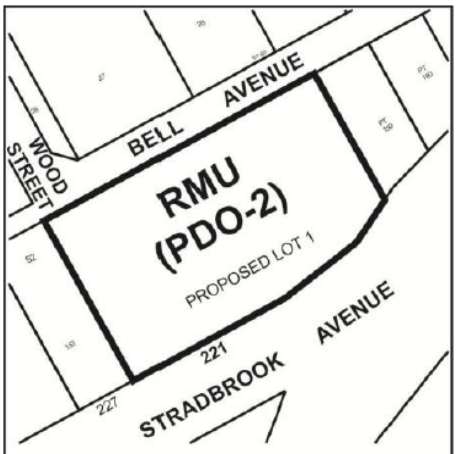
File: DASZ 41/2013

Before: City Centre Community Committee
Councillor Smith, Chairperson
Councillor Gerbasi
Councillor Orlikow

Public Hearing: December 10, 2013
Council Building, 510 Main Street

Applicant: Christopher Daly (MMP Architects)

Subject:



APPLICANT : MMP ARCHITECTS
FILE : DASZ 41/13
PROPOSAL : An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from a "C2" COMMERCIAL COMMUNITY DISTRICT to an "RMU" PDO-2 RESIDENTIAL MIXED USE DISTRICT to allow for the construction of a mixed use building to establish a multiple family dwelling, live-work dwellings, and commercial uses. **For information, phone Mr. D. Clark, Planner, at 204-986-5684.**

Premises Affected: 221 Stradbrook Avenue

Exhibits Filed:

1. Application dated October 19, 2013
2. Notification of Public Hearing dated November 1, 2013
3. Manitoba Status of Titles 2680776/1, 2682218/1, 2680774/1, 2680779/1, 2680781/1, 2680782/1
4. Letter of authorization dated August 28, 2013 from Christopher Daly to MMP Architects Inc.
5. Surveyor's Building Location Certificate and sketch dated August 31, 1998
6. Drawing of subject property
7. Plans (7 pages)
8. Report from the Urban Planning Division dated December 2, 2013
9. Inspection Report
10. Audio Recording of representations

REPRESENTATIONS:

In Support:

Christopher Daly

In Opposition

Nil

For Information:

Mark Thiessen
Daryl Benoit

For the City:

Mr. M. Robinson, Senior Planner, Planning, Property and Development Department
Mr. D. Clark, Planner, Planning, Property and Development Department

Exhibit "8" referred to in File DASZ 41/2013

ADMINISTRATIVE REPORT

Title: DASZ 41/13 – 221 Stradbrook Ave.

Issue: An application for consideration at the Public Hearing to subdivide the site into one (1) lot and rezone the lands from the "C2" Community Commercial district to the "RMU" Residential Mixed Use district in order to develop a mixed use development to include a multiple family dwelling, live-work dwellings and commercial uses.

Critical Path: City Centre Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith	N/A	N/A	

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 41/2013 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 20/2013 dated December 2, 2013 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office, subject to the following:

   A. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in Schedule 'B' the report of the Administrative Coordinating Group dated November 21, 2013.

2. That Winnipeg Zoning By-law No. 200/2006 be amended by adding the 221 Stradbrook Avenue Planned Development Overlay 2 (PDO-2 221 Stradbrook Avenue), attached as Appendix "B" ('Schedule S'),

3. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 41/2013 dated December 2, 2013 to an "RMU" Residential Mixed Use district, subject to the following conditions:

   A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240(1) of The City of Winnipeg Charter to include the following conditions:

      i. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, fencing, landscaping, pathways, seating, bicycle parking, signage, site

lighting, and building shadowing study shall be submitted to and approved by the City Centre Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development.

4. That in lieu of the requirement for land dedication, a sum of money, calculated as ten percent (10%) of the increase in market value of the land and the creation of additional lots, be paid to the City for the purchase of land for purposes of the City other than streets.

5. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

6. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two years after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the two-year period and Council approves the extension.

7. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

8. That the subdivision section of the by-law shall come into force and effect upon registration of the plan of subdivision in the Winnipeg Land Titles Office.

9. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject land, provided that the said effective date occurs within one year from the date the by-law is passed.

10. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension.

11. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

12. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council.

REASON FOR THE REPORT

- The applicant is proposing to subdivide the site from six (6) underlying titles into one (1) lot and rezone the lands from “C2” Community Commercial district to the “RMU” Residential Mixed Use district for the purposes of constructing a 200 unit multi-family development, with four live-work dwellings and commercial uses on the ground floor.

- Subdivisions and rezonings require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Committee's consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Urban Planning Division are concurred in, the subject site will be subdivided and rezoned to the "RMU" Residential Mixed Use district in order to facilitate an eighteen (18) storey mixed-use residential, live-work, and commercial development.

HISTORY

- An application was previously made on the site for a sixteen (16) storey mixed-use development.
- On January 27, 2010 Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

    1. That the plan of subdivision proposed under File DASZ 30/2009 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 30/2009 dated November 25, 2009, for registration in the Winnipeg Land Titles Office subject to the following:

        A. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in Schedule 'B' the report of the Administrative Coordinating Group dated November 27, 2009.

    2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 30/2009 dated November 25, 2009 to a "RMU" Residential Mixed-Use District, subject to the following:

        A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:

            i. That final plans showing the location and design of all buildings, private approaches, parking areas, fencing, landscaping, pathways, seating, bicycle parking, signage, site lighting, as well as a building shadowing study shall be submitted to and approved by the City Centre Community Committee and the Director of Planning, Property and Development prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development;

- The application was approved, though the development never occurred and the approval has since lapsed.

CONSULTATION

In preparing this report there was consultation with:
Public Works Department
Transit Department
Water and Waste Department

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by:	Devin Clark
Date:	December 2, 2013
File No.	DASZ 41/13

List of Schedules and Attachments

1. Appendix A – Planning Discussion
2. Schedule “A” Recommended File No. DASZ 20/13 City Centre Community Committee, dated December 2, 2013.
3. Schedule “B” - Report of The Administrative Co-ordinating Group – November 21, 2013
4. Appendix B – 221 Stradbrook Avenue Planned Development Overlay 2

APPENDIX 'A'

DATE: December 2, 2013

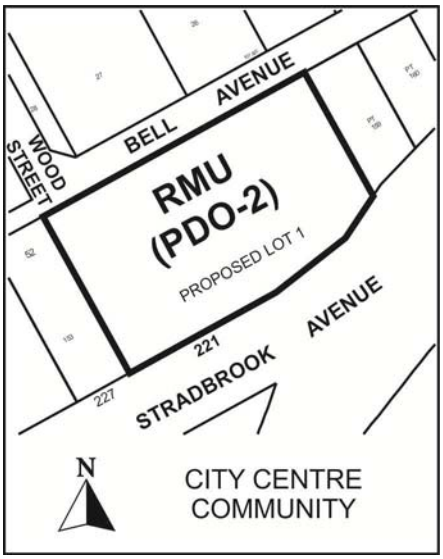
FILE: DASZ 41/13
RELATED FILES:

COMMUNITY: City Centre
NEIGHBOURHOOD #: 1.111

SUBJECT: To subdivide the site into one (1) lot and rezone the land from "C2" Community Commercial district to the "RMU" Residential Mixed Use district.

LOCATION: 221 Stradbrook Ave.

LEGAL DESCRIPTION: SP LOT 30/31 PLAN 27846 WLTO IN RL 36 AND 37 PARISH OF ST. BONIFACE
LOT 154 PLAN 52 WLTO (W DIV) IN RL 36 PARHIS OF ST BONIFACE
LOT 156 PLAN 52 WLTO EXC STRADBROOK AVENUE PLAN 46945 WLTO IN RL 36 PARISH OF ST BONIFACE
LOTS 157/158 PLAN 52 WLTO EXC STRADBROOK AVENUE PLANS 30733 WLTO AND 46945 WLTO IN RL 36 PARISH OF ST BONIFACE



APPLICANT: MMP ARCHITECTS (CHRISTOPHER DALY)
300-214 McDERMOT AVE.
WINNIPEG MB R3B 0S3

OWNER: PHOENIX ENTERPRISES
CHRISOTPHER DALY
ROBERT WRUBLOWSKY

RECOMMENDATION: Approval with conditions

REPORT SUMMARY

- The applicant is proposing to subdivide the property at 211 Stradbrook Avenue and rezone the land to the “RMU” Residential Mixed Use district.
- The intent is to develop an eighteen (18) storey, 200 unit multi-family dwelling, with commercial use on the ground floor and four (4) live-work units.
- The proposed development concept aligns with the City of Winnipeg’s objectives to encourage higher density, mixed-use development near the newly established rapid transit stations. While the overall concept aligns with TOD objectives, the city is recommending a Schedule A plan approval to flesh out the finer details of the design.
- The Urban Planning Division recommends approval of this application, subject to conditions identified in the servicing agreement (Schedule B) of this report.

SITE DESCRIPTION

- The subject property is located on the north side of Stradbrook Avenue, east of Donald Street and is adjacent to the Harkness rapid transit station. The property falls within the River-Osborne neighbourhood of the Fort Rouge – East Fort Garry ward.
- The proposed subdivision for the property would combine six (6) contiguous lots into one (1) for a total of 35,616 square feet (0.8 acre).
- Currently on the site there is an abandoned tennis court, previously owned by the Winnipeg Winter Club.
- Under the Complete Communities Direction Strategy, the site is located within the Areas of Stability – Mature Communities policy area and the Transformative Area – Rapid Transit Corridor policy area.

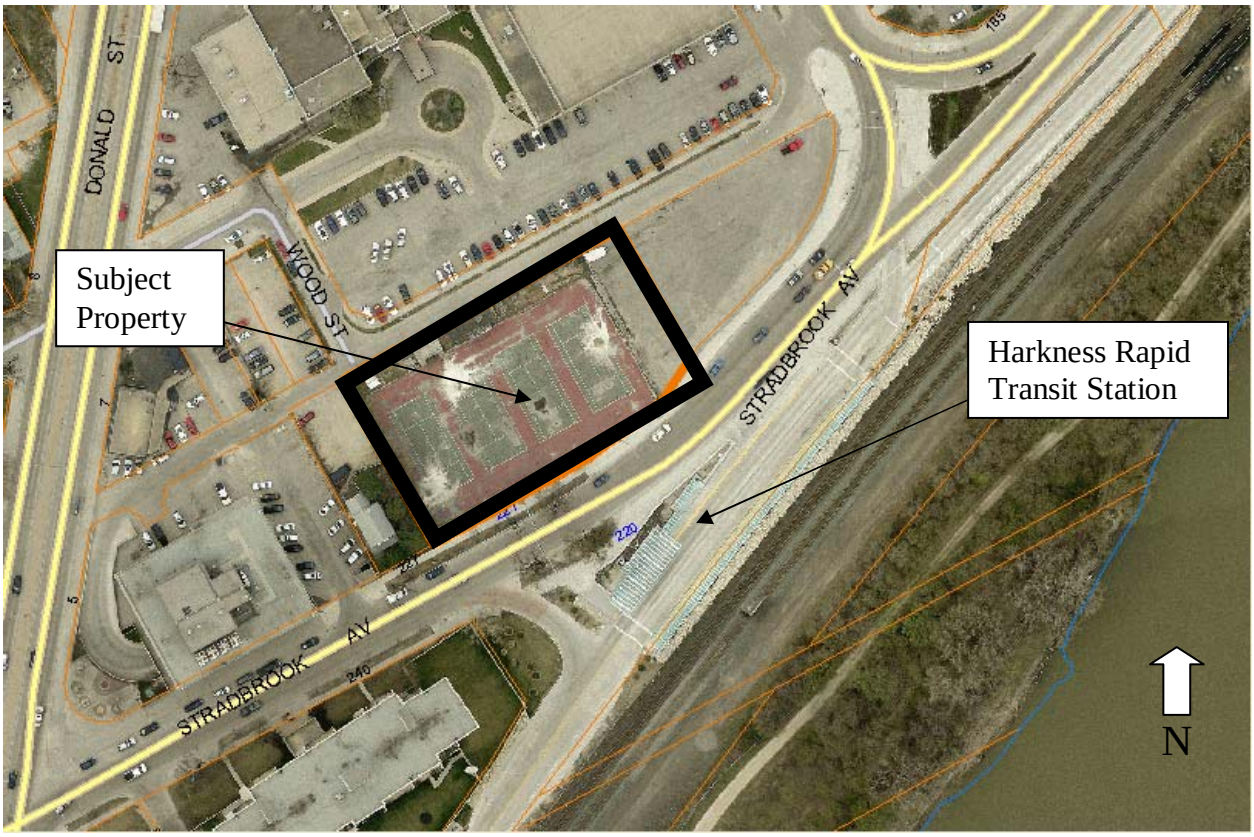


Figure 1: Aerial photograph showing subject property (flown 2012)

SURROUNDING LAND USES & ZONING (See Figure 2)

North: Bell Ave. then the Winnipeg Winter Club zoned “C2” Commercial Community.

South: Stradbrook Avenue then the Harkness Rapid Transit Station zoned “M1” Light Manufacturing.

East: Surface parking zoned “C2” Commercial Community and then Harkness Avenue.

West: A single family dwelling zoned “C2” Commercial Community.

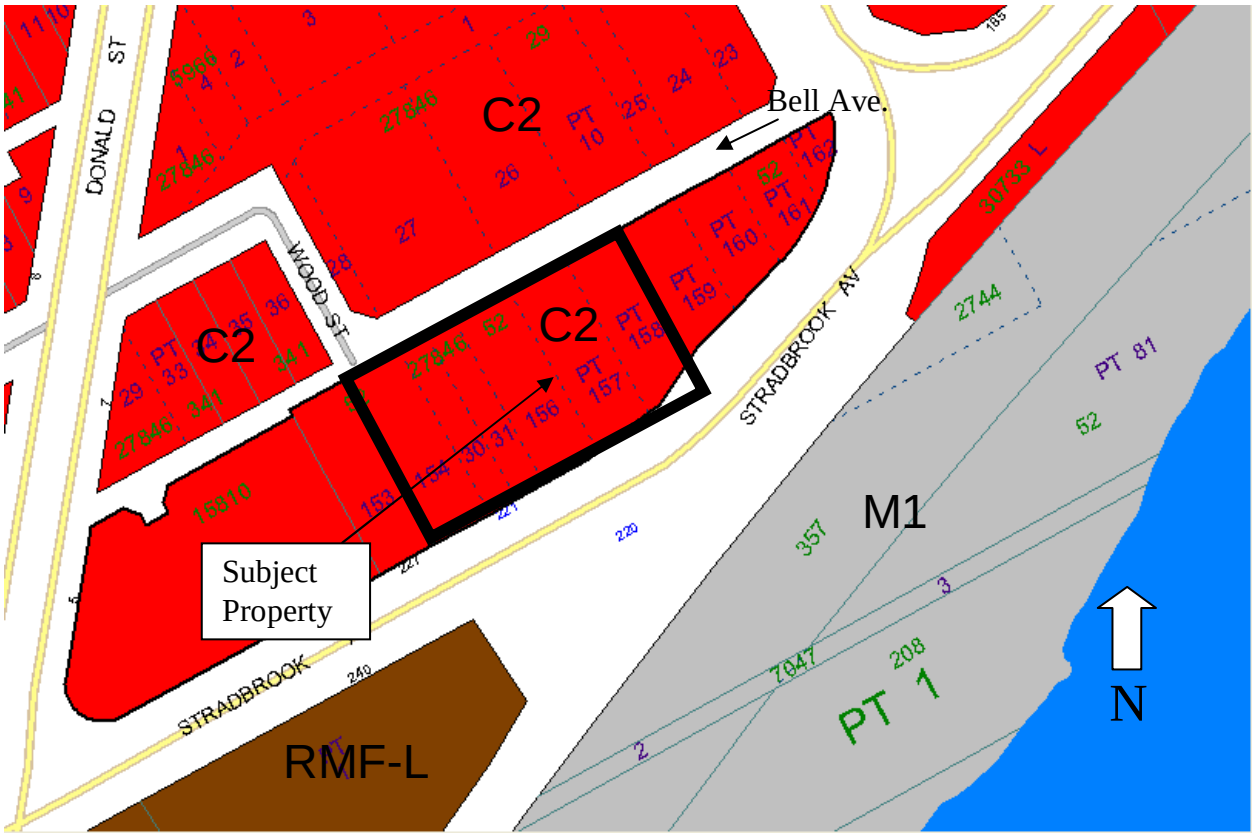


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant seeks approval to rezone and subdivide the subject lands to "RMU" Residential Mixed-Use District. The applicant also seeks approval for a Planned Development Overlay (PDO-2), which modifies the underlying zoning district.

- The applicant wishes to build an eighteen (18) storey, mixed use development that would consist of up to 200 dwelling units, four (4) live-work dwellings and ground floor commercial space.

- Current plans indicate that entrances will be located at the north, south and east sides of the building with access to the live-work dwellings and commercial space fronting onto Stradbrook Avenue.
- Residential unit sizes could range between 505 and 900 square feet.
- The four live work units will each be approximately 900 square feet. These units will front onto Stradbrook Ave. and have ground floor access.
- Commercial space will be approximately 2,000 square feet.
- The submitted plans indicate that there will be 162 parking stalls located within the parking structure. At the east end of the property there will be commercial and visitor parking available.
- Access to the parking structure will be available via Bell St.

- Plans show a landscaped seating area located at the south side and south corner yard oriented toward Stradbrook Ave.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- The site is located within the Areas of Stability – Mature Communities policy area. The key relevant policies guiding the development of Areas of Stability under the *Complete Communities Direction Strategy* include:
    - Promote a quality public realm with a high level of accessibility to community services and amenities and opportunities for gathering and social interaction.
    - Encourage intensification to occur at centres and along corridors.
    - Support Complete Communities by ensuring diverse and high quality housing stock.

The site is also identified as a Transformative Area – Rapid Transit Corridor. Key policies guiding development around the Rapid Transit Corridor under the *Complete Communities Directions Strategy* include:

- Identify and capitalize on development and redevelopment opportunities through corridor level planning & analysis.
- Promote high quality pedestrian-oriented environments, particularly in public spaces, such as sidewalks and transit stations.
- Incorporate environmentally friendly, green design and construction principles to help meet the City's sustainability objectives.

ZONING

"RMU" Residential Mixed Use District

The Residential Mixed Use (RMU) district is intended to facilitate the development of primarily medium- to higher- density residential development, though it also may contain limited small-scale commercial, institutional, recreational, and service facilities needed to support residential development. The area, site, or building should retain a predominantly residential character. Development in the RMU district should facilitate and encourage pedestrian travel between residential and nonresidential uses. This district is often adjacent and incidental to a town centre, neighbourhood commercial centre, or other type of mixed use or major employment centre.

Zoning By-law 200/2006 prescribes the following dimensional standards for the "RMU" district.

Zoning District and Designation	Minimum Lot Area (Sq. Ft.)	Minimum Lot Area Per Dwelling Unit (Sq. Ft.)	Minimum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum Interior Side Yard (Ft.)	Minimum Corner Side Yard (Ft.)	Principal Building Separation (Ft.) [note a]	Maximum Building Height (Ft.)
RMU	9,000	500	20	25	5 [note b]	20	8	100

LAND USE BY-LAW

Subdivision and Rezoning

- The applicant is proposing to subdivide and rezone the lands from the “C2” Commercial Community district to the “RMU” Residential Mixed Use district in order to construct a 200 residential unit, mixed use development.
- The subdivision of lands will result in the consolidation of six (6) contiguous titles into one (1) lot. The requirement to subdivide lands for the purpose of consolidation is typical in situations where the property has several underlying titles. The subdivision is a standard administrative procedure and the Urban Planning Division is in support of this consolidation.
- Rezoning to “RMU” allows the developer to achieve a higher density development with capacity for a mix of uses; however, the permitted dimensional standards in the “RMU” district limit the ability of the site to achieve a density and urban form that is supportive of Transit Oriented Development (TOD) principles. As a result, the Urban Planning Division has recommended that a PDO-2 overlay be applied to the subject site in order to align the development more closely with TOD principles as identified in the Winnipeg TOD Handbook. These principles include:
    - Medium to high density development that is greater than the community average, promoting the highest densities closer to transit stations.
    - A mix of uses.
    - Compact, high quality pedestrian-oriented environment.
    - An active defined centre.
    - Innovative parking strategies.
    - Public leadership.

- The PDO-2 takes into account the proximity of the subject property to the rapid transit station. Some of the key modifications to the underlying “RMU” Residential Mixed Use District are:
    - Flexibility in height, lot area per dwelling unit and setback requirements.
    - A Parking, Bicycle Parking, and Loading Management Plan, which must be approved by the Director of Planning, Property, and Development, is to replace the parking, bicycle parking, and loading requirements in the Winnipeg Zoning By-law (See Appendix B for complete details of the PDO-2).
    - With regard to the parking management plan, the Urban Planning Division recommends and encourages that the minimum required number of parking stalls for the development not be exceeded, as per TOD principles. In addition, reduced parking numbers below the minimum required amount to provide 80% of the required parking, would be considered as long as reasonable alternative options are provided to offset the parking deficiency. This would be determined at the parking management plan approval stage.

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

The proposed rezoning and consolidation of lots to allow the construction of the 18-storey residential mixed-use project fits well within the immediate context. The area is characterized by a mix of residential, office, and fitness / recreational uses, many of which are at a large scale.
Two large apartment towers exist to the southwest; 3 Donald Street is 17-storeys in height with 152 apartments while 240 Stradbrook is 14-storeys with 168 apartments. The subject site is within a ten minute walk of Downtown as well as Osborne Village offering future resident's a wide range of employment and service opportunities. The Rapid Transit Corridor and Harkness Rapid Transit Station are located directly across the street from the subject site. Transit Oriented Development principles strongly promote significantly increased density targets and mixed-use projects adjacent to Rapid Transit routes and stations.

TRANSPORTATION AND SITE ACCESS

- The subject site, 221 Stradbrook Avenue is located on the north side approximately mid-block between Donald Street and Harkness Street. This portion of Stradbrook Avenue is characterized as a regional arterial street with three lanes of eastbound one way traffic.

- Generally the heaviest traffic occurs during the morning rush hour, street parking along the northernmost lane immediately adjacent to the site is available during off-peak hours.

- The applicant's proposal indicates that vehicle access to the site will be available at the rear of the building from Bell Ave.

- Pedestrian access to the site will be available primarily along the south and east side of the building. The construction of a sidewalk along the north edge of the site is being requested as a condition in the servicing agreement. The purpose of this sidewalk is to ensure that there are effective and safe pedestrian connections throughout the site and surrounding area.

INFRASTRUCTURE IMPACTS

- The developer's obligations regarding infrastructure are outlined in the ACG report attached at the back of this report as Schedule 'B'. At this point the project appears to have no significant impacts to the existing infrastructure in the vicinity.

SITE DESIGN

The applicant has worked closely with the Urban Planning Division to identify a general design proposal that meets the intent of the Complete Communities Direction Strategy and Winnipeg TOD Handbook. Design considerations at the plan approval stage are to include the following:

Site Layout

- Mixed-use development, with main floor retail/commercial uses in a transit oriented context are desirable in order to promote a high quality pedestrian realm and maximize the walking, shopping, gathering, seating and display opportunities.

- Submitted plans indicate that the building will have an urban character with reduced yard setbacks, active uses at the ground floor, and multiple entrances along the south, east and north portion of the building.

- Access to the parking structure will be from Bell St., emphasizing pedestrian connections and uses throughout the site.

- At grade parking is proposed along the east portion of the property to accommodate short term, visitor and commercial needs.

- The Urban Planning Division will expect high quality finishes and details with regard to access points to the site and entrances to the building. This would include but not be limited to canopies, seating, landscaping, fencing and lighting.

Streets and Connectivity

The TOD handbook states, in regard to accessibility between station and destination, that:

> *The relationship between existing community elements (buildings, streets, sidewalks) and the new transit infrastructure should be assessed as part of the design process to determine if a linked series of spaces, visual cues, and available routes make it easy to access the station. Direct, attractive connections designed according to universally accessible design standards – without barriers or dead ends – should be provided (TOD Handbook p.14)*

To this point, the Urban Planning Division has recommended a number of connectivity upgrades be made to ensure convenient pedestrian access is established to the subject site and surrounding area. For example:

- Upgrades to the traffic lights at the Stradbrook Ave. and Harkness St. intersection to include a pedestrian cross walk. This has been recommended as a condition in the ACG report to ensure that a safe and convenient access point for crossing Stradbrook Avenue is available between the transit station and the subject site. Discussions regarding an elevated crosswalk were had; however, estimates revealed that it would be cost prohibitive. An at-grade cross walk closer to the entrance of the building was explored as well, though the belief was that it would disrupt traffic along Stradbrook and create stacking during peak traffic hours.

- A pedestrian walkway is to be built along the north edge of the property on Bell Ave. Currently access along the north edge of the property is an unimproved street (Bell Ave.) with no sidewalk. Land for the sidewalk is to be provided by the developer (see ACG report).

- A walkway to the entrance along the east side of the building should provide a prominent level of design and detail that could include interlocking brick patterns, landscaping, lighting, seating, art, etc.

- The building is to be setback on the south edge of the property to allow for sidewalks to be widened, in accordance with the TOD handbook. The Urban Planning Division is supportive of a 10 foot setback along the ground floor, with a 5 foot setback for units above the ground floor.

Building

- Plans indicate that the tower portion of the building, which is to be eighteen (18) storeys tall, is to be located toward the east side of the site. The Urban Planning Division supports the

location of the tower here, provided that the building has a pedestrian scale at grade, and that design considerations are made for wind and shadow impacts.

- Current plans show that pedestrian scale massing (between 3 and 4 storeys) will run along the south portion of the building that includes live-work units and commercial space. Having these uses at grade helps animate the street and promote pedestrian activity. Final plans should indicate details of landscaping, walkways with seating, canopies, etc. that will further help define and animate the ground floor uses as a pedestrian space.

- The parking structure is to be located at the rear of the building with access from Bell St. The Urban Planning Division recommends and supports the location of parking at the rear of the building as this will promote a safe and desirable pedestrian environment along Stradbrook Ave. Architectural/landscaping details should be incorporated into the parkade wall to create visual interest and prevent a dull and blank façade.

- Visitor and commercial parking will be located at grade on the east edge of the property. This parking area should be kept to a minimum and be landscaped and fenced to a high standard.

- Bicycle parking, both short term for visitors and long term for employees and residents is also required and will be expected at the Plan Approval stage of the project. Current plans indicate a bicycle storage area contained within the building.

- Architectural and design features are still in the preliminary planning stages. Upon receiving plans at the plan approval stage, the Urban Planning Division will expect that the architecture, materials and details will be of a high standard.

LAND DEDICATION

- When a developer rezones and/or subdivides a parcel of land, they are required to put in an application with the City of Winnipeg.
- As a condition of rezoning or subdivision, a developer is required to contribute a portion of the land to be developed to the City for parks purposes.
- The amount of land is not less than 10%.
- The developer is to provide land or ‘cash in lieu’ as determined by the Planning, Property and Development Department.
- The City is requesting cash in lieu for this application.

RECOMMENDATION

The Urban Planning Division recommends **approval** for the following reasons:

- The rezoning to “RMU” allows for the development to align more closely to the objectives in the Complete Communities Direction Strategy and the Winnipeg TOD Handbook. The applied PDO2 overlay enhances the “RMU” dimensional standards to align more closely to objectives of creating high density, mixed-use developments in close proximity to rapid transit stations.
- The proposal is consistent and compatible with the surrounding properties.

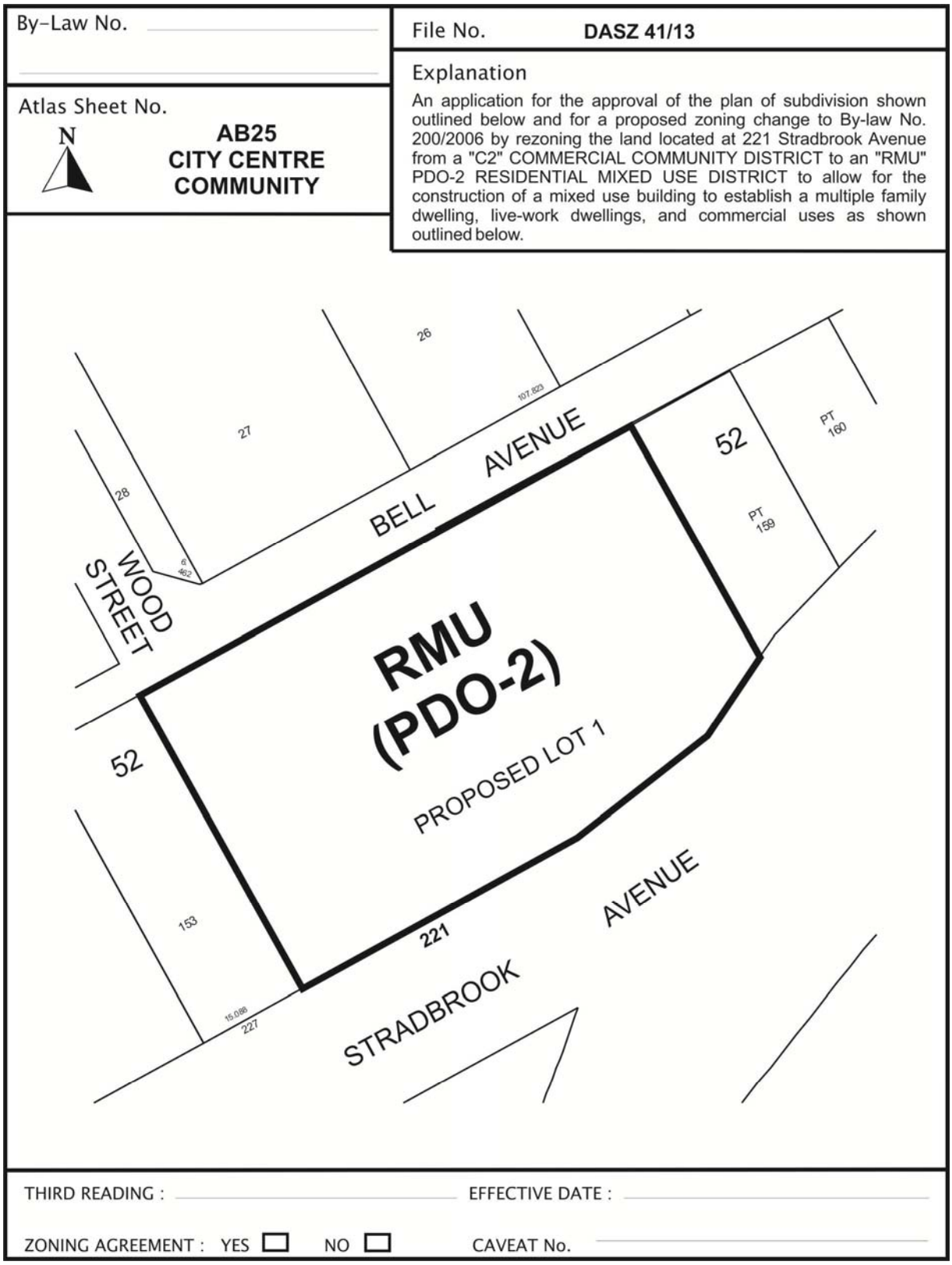
- The project would result in the development of an abandoned tennis court immediately adjacent to the Harkness Rapid Transit station and vastly improve the urban form and image of this site, while enhancing connectivity between adjacent uses.

This Report Submitted by:

Planning, Property and Development Department
Urban Planning Division

Report Prepared By: Devin Clark
PPD File # DASZ 41/13

Schedule "A" for File No. DASZ 20/2013, City Centre Community Committee, dated December 2, 2013



SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – November 21, 2013

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 221 STRADBROOK AVENUE – DASZ 41/2013

It is recommended that the approval of DASZ 41/2013, if granted, be subject to the applicant entering into a Servicing Agreement addressing the following items:

A. **Plan Considerations**

1. The Developer shall transfer to the City and legally open property for 3.048 metre widening to the Bell Avenue right-of-way for the full length of the Planned Area abutting Bell Avenue as determined by and to the satisfaction of the Director of Public Works.

B. AGREEMENT CONDITIONS

SECTION I – SERVICING

1. Land Drainage

   The Developer shall:

   a. restrict land drainage run-off from the site to pre-development run-off rates and shall;

   b. at no expense to the City, extend a land drainage sewer in Stradbrook Avenue from the existing storm relief sewer located approximately at the west limit of 227 Stradbrook Avenue, as necessary, to provide land drainage service for the site.

   All as determined by and to the satisfaction of the Director of Water and Waste.

2. Sidewalks

   The Developer shall, at no expense to the City, construct a 1.5m in width by 100mm in thickness portland cement concrete sidewalk on the standard alignment, 0.3m off of the property line, on the south side of Bell Avenue for the full length of the Planned Area abutting Bell Avenue as determined by and to the satisfaction of the Director of Public Works.

3. Boulevards

The Developer shall, at no expense to the City;

a. Sod, or provide an alternate treatment, to the boulevard on the south side of Bell Avenue for the full length of the Planned Area abutting Bell Avenue as determined by and to the satisfaction of the Director of Public Works and;

b. Plant trees on the south side of Bell Avenue for the full length of the Planned Area abutting Bell Avenue all in accordance with City specifications and guidelines and all as determined by and to the satisfaction of the Director of Public Works.

The Developer shall, at no expense to the City, maintain the boulevard sod, if applicable, for a period of one year, and the boulevard trees for a period of two years, in accordance with specifications approved by the Director of Public Works.

4. Traffic Control Signals Upgrading

The Developer shall pay, upon demand, all costs related to modifications of the existing traffic control signals, including but not necessarily limited to sidewalk modifications, to accommodate a new pedestrian phase across Stradbrook Avenue at the west crossing of the Stradbrook Avenue and Harkness Avenue intersection, as determined by and to the satisfaction of the Director of Public Works.

The City shall reimburse the Developer for a share of the works identified above as and when it collects from other benefiting lands in accordance with the City's Development Agreement Parameters prevailing at the time of reimbursement.

5. Utilities

The Developer shall pay all costs associated with the installation and/or relocation of street lights and other utilities made necessary as a result of or required to accommodate works, which are required by the Developer to serve the proposed development, as determined by and to the satisfaction of the Director of Public Works.

6. Litter and Refuse Control and Clean-Up

The Developer shall, at no expense to the City, and of its own volition, initiate and control the regular cleanup of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of buildings, until substantial completion of all construction, as determined by and to the satisfaction of the Director of Public Works.

The cleanup of litter and refuse shall be done on a regular basis as determined by the Director of Public Works. This shall include initiating action and assuming any costs in remedying the situation to the satisfaction of the Director of Public Works.

7. Construction Traffic

The Developer shall ensure that construction traffic uses access routes as determined by the Director of Public Works. The Developer shall maintain, at no expense to the City, the access

routes in a clean, dust free and safe condition, free of dropped and tracked-on mud, and shall undertake regular scraping and sweeping of streets until building construction, including landscaping is complete, all as determined by and to the satisfaction of the Director of Public Works.

8. Survey Monuments

Following completion of all major construction works, the Developer shall at its cost have the locations of the survey monuments within the Planned Area verified and, where the survey monuments have been disturbed, moved, covered, mutilated or destroyed, shall have them replaced by a Manitoba Land Surveyor. The Developer shall ensure that the Manitoba Land Surveyor provides the Director of Planning, Property and Development with a certificate stating that all survey monuments within the Planned Area have been verified and/or replaced, as the case may be.

SECTION II – COSTS AND FEES

1. By-laws and Approvals

The Developer shall pay all of its and the City's costs, fees, and expenses associated with the preparation and attainment of approval for registration of the Zoning By-law(s) and plan(s) of subdivision, including all Municipal Board, Land Titles Office and other fees and expenses, all survey, engineering and advertising fees and costs, and all expenses incidental to the preparation of the Agreement and the physical development of the Planned Area.

2. Professional Fees

a. The Developer shall pay the full cost of all design services, including preliminary engineering studies, servicing reports, servicing criteria, construction drawings and specifications, and grading and landscaping plans and specifications, to be provided by Consulting Engineer(s) approved by the City, for the design of the municipal services, and associated works required to serve the Planned Area;

b. The Developer shall pay the full cost of construction and landscaping supervision services provided by or on behalf of the City for field inspection, preparation of progress estimates, provision of as-built drawings by March 31 of the year following substantial performance of the work, and all other engineering consulting services related to the installation and acceptance of municipal services, and all associated works to serve the Planned Area.

3. Administration Fees

The Developer shall, prior to the release of the subdivision mylars for registration in the Land Titles Office, pay to the City, $1650.00 to help defray the City's administration and related costs associated with the preparation and implementation of the Servicing Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 41/2013
November 21, 2013

(Original Signed By K.T. Raban, P.Eng.)

K.T. Raban, P. Eng.,
Land Development Branch

(Original Signed By F.C. Mazur, P.Eng.)

F. C. Mazur, P. Eng.
Water & Waste Department

(Original Signed By C.J. Desjardine, M.Sc., P.Eng.)

C.J. Desjardine, M.Sc., P. Eng.
Public Works Department, Transportation Division

KTR/ktr

THE CITY OF WINNIPEG

BY-LAW NO. /2013

A By-law of The City of Winnipeg to amend the Winnipeg Zoning By-law No. 200/2006 to adopt the 221 Stradbrook Avenue Planned Development Overlay 2 for land located at 221 Stradbrook Avenue in the City Centre Community.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1 *The Winnipeg Zoning By-law No. 200/2006 is amended by adopting the attached document, entitled* "221 Stradbrook Transit Oriented Development Overlay 2 (PDO-2 221 Stradbrook Avenue)", *as a Planned Development Overlay 2 district and adding it as Schedule T after Schedule S.*

DONE AND PASSED this day of , 2013.

Mayor

City Clerk

Approved as to planning details:

for Director of Planning, Property and Development

Approved as to form:

James Carter
for Director of Legal Services and City Solicitor

SCHEDULE T
221 STRADBROOK AVENUE PLANNED DEVELOPMENT OVERLAY 2
(PDO-2 221 Stradbrook Avenue)

Purpose

1. The purpose of this overlay is to support the development of 221 Stradbrook Avenue as a residential mixed-use building in a manner that is compatible with Transit Oriented Development (TOD) principles.

Applicability

2. PDO-2 221 Stradbrook Avenue overlay district is located as shown on the attached Map 1.

Development Standards

3. Except to the extent modified by the standards in this overlay, all standards of this By-law apply within the boundaries shown on the attached Map 1.

Permitted Use Regulations

4. **Notwithstanding other provisions of this By-law, in the PDO-2 221 Stradbrook Avenue, the following principal use shall be permitted in addition to the permitted and conditional uses of the underlying RMU zoning district.**

(1) Dwelling, Live-Work

Use Specific Standards

5. Regardless of whether a use is allowed as a permitted or conditional use, the following additional standards must be met in respect of the uses identified, except as authorized by other sections of this By-law or by a Conditional Use or Variance Order.

Dwelling, Live-Work

6. All live-work dwelling units must be accessible from the ground floor of the building in which they are located.

Prohibited Use Regulations

7. Notwithstanding other provisions of this By-law, in the PDO-2 221 Stradbrook Avenue, the following principal use(s) shall be prohibited.

(a) Dwelling, single-family detached
(b) Dwelling, two-family

Dimensional Standards

8. Notwithstanding other provisions of this By-law, in the PDO-2 221 Stradbrook Avenue, development must comply with the dimensional standards listed in this section.

Zoning District	Minimum Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum West Interior Side Yard (Ft.)	Minimum East Interior Side Yard (Ft.)	Maximum Building Height (Ft.)
	Residential Mixed Use Structures				
PDO-2 221 Stradbrook Avenue	10 [note a]	0	8	0 [note b]	190
	NOTES: a. Any floor above the ground floor may have a front yard setback of 5 feet b. The 0 foot east interior side yard applies to accessory, surface parking only.				

Development Density

9. The maximum density is 200 dwelling units and 4 live-work dwelling units.

Parking, Bicycle Parking and Loading

10. Parking, Bicycle Parking and Loading Management Plan

(1) Vehicle parking requirements shall not exceed the minimum required parking as prescribed in this By-law, in keeping with TOD principles.

(2) If a property does not comply with the required amount of parking, bicycle parking, or loading spaces, the property owner may propose to the Director a Parking, Bicycle Parking and Loading Management Plan prepared by a professional traffic engineer or parking consultant documenting that the amount of off-street parking, and/or bicycle parking, and/or loading is adequate to meet the needs of the proposed use or combination of uses and to prevent traffic and parking congestion on surrounding streets or public lanes.

(3) If the Director concludes that the proposed Parking, Bicycle Parking and Loading Management Plan will provide off-street parking, bicycle parking, and/or loading spaces adequate to meet the needs of the proposed use or combination of uses and to prevent traffic or parking congestion on surrounding streets and public lanes, the Director may approve the Parking, Bicycle Parking and Loading Management Plan and may reduce the amount of required off-street parking, bicycle parking, and/or loading required to conform with the approved plan.

(4) Once a Parking, Bicycle Parking and Loading Management Plan is approved, that owner shall provide parking spaces, bicycle parking spaces, and loading spaces in accordance with the Parking, Bicycle Parking, and Loading Management Plan which has been approved by the Director.

(5) Any owner of land in the PDO-2 221 Stradbrook Avenue may, in accordance with this overlay and this By-law, submit to the Director for approval:

(a) A Parking, Bicycle Parking and Loading Management Plan for the overlay district; or

(b) An amended Parking, Bicycle Parking and Loading Management Plan for the overlay district.

11. All bicycle parking spaces in the PDO-2 221 Stradbrook Avenue must comply with the following design standards:

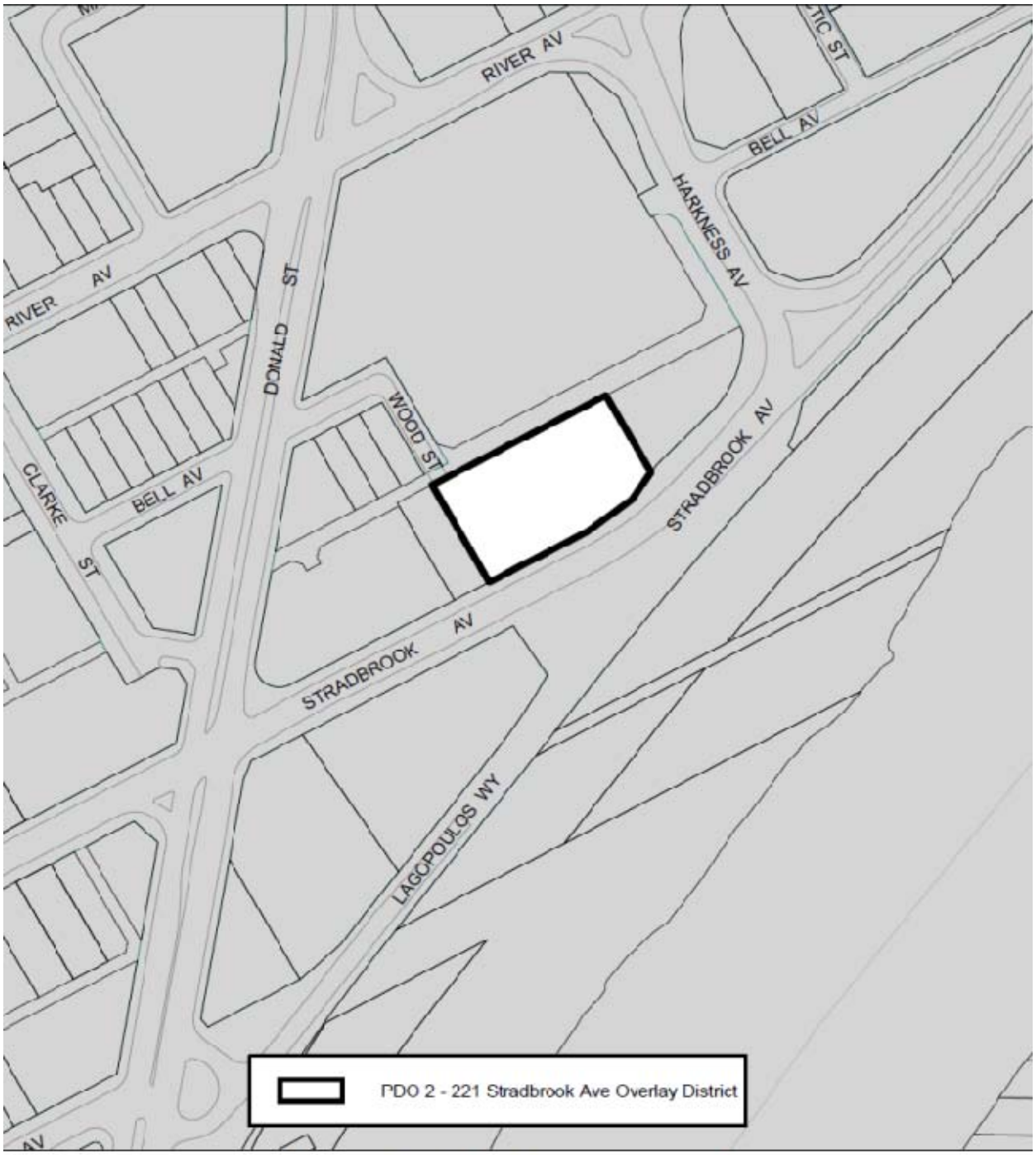
(1) The bicycle parking spaces must be located with convenient access to major building entrances.

(2) Bicycle parking spaces must be provided for both short-term and long-term bicycle parking.

(3) There must be suitable bicycle racks or lockers made from high quality materials and anchored with bolts to concrete or asphalt surfaces of the ground, floor, or nearby building wall.

(4) The bicycle parking spaces must be located in well-lit areas.

(5) The bicycle parking spaces must be located at ground level or easily accessible from ground level.



Map 1 - 221 Stradbrook Ave
Principal Overlay Map

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